



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Ronald Katz

) Group Art Unit: 3627

)

) Examiner: James S. McClellan

)

Serial No.: 09/691392

Filed: 17 October 2000

Atty. File No.: PAT-009C

For: METHODS AND APPARATUS FOR INTELLIGENT SELECTION OF GOODS AND SERVICES  
IN TELEPHONIC AND ELECTRONIC COMMERCE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the  
Examiner.

Copies of the cited foreign patents and/or U.S. patents and/or non-patent references are  
enclosed herewith.

Copies of the cited U.S. patents and/or U.S. patent application publications are not  
enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June  
30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after  
June 30, 2003 need not submit copies of the U.S. patents and U.S. patent application publications.

Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were  
submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed  
\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

To the best of the applicants' belief, the pertinence of the foreign-language references are  
believed to be summarized in the attached English abstracts and in the figures, although applicants do not  
necessarily vouch for the accuracy of the translation.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service  
on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450,  
Alexandria, VA 22313-1450.

Date of Deposit

24 Jan 2005

*michele Zarinelli*  
Michele A. Zarinelli

02/09/2005 SSESHE1 00000026 09691392 180.00 DP  
01 FC:1806

Examiner's attention is directed to the following co-pending application(s) for which priority is not being claimed, copies have been or are being submitted:

Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
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Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)

Examiner's attention is directed to the following co-pending application(s), to which the current application claims priority, copies of at least the claims for such pending application are provided or have been provided:

Serial No. 09/505,691 filed 16 February 2000 (Atty. Dckt. No. PAT-009B )  
Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)  
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Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

## FEES

<input type="checkbox"/>	<p><b>37 CFR 1.97(b):</b> No fee is believed due in connection with this submission, because the Information Disclosure Statement submitted herewith satisfies one of the following conditions ("✓" indicates satisfaction):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</li> <li><input type="checkbox"/> Within three months of the date of entry into the national state of an international application as set forth in 37 CFR 1.491, or</li> <li><input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</li> <li><input type="checkbox"/> Before the mailing of a first Office Action after the filing of a Request for Continued Examination (RCE) under 37 CFR 1.114.</li> </ul> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 501880.</p>
<input checked="" type="checkbox"/>	<p><b>37 CFR 1.97(c):</b> The Information Disclosure Statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> (1) a final action under 37 C.F.R. 1.113, or</li> <li><input type="checkbox"/> (2) a notice of allowance under 37 C.F.R. 1.311, or</li> <li><input type="checkbox"/> (3) an action that otherwise closes prosecution in the application.</li> </ul> <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 501880</li> </ul> <p style="text-align: center;"><b>OR</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Enclosed is PTO 2038 (Credit Card Payment Form) in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an Information Disclosure Statement. Please credit any overpayment or charge any underpayment to Deposit Account 501880.</li> </ul>
<input type="checkbox"/>	<p><b>37 C.F.R. 1.97(d):</b> This Information Disclosure Statement is being submitted after the period specified in 37 C.F.R. 1.97(c).</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> This Information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</li> </ul> <p style="text-align: center;"><b>AND</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 501880. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</li> </ul>



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**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

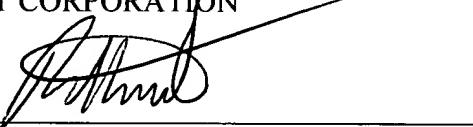
The undersigned certifies that:

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).  
 A copy of the communication from the foreign patent office is enclosed.

**OR**

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,  
WEST CORPORATION

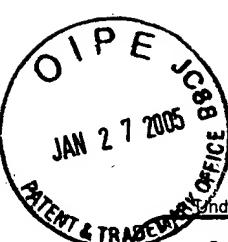
By:   
Rocco L. Adornato  
Reg. No. 40,480



**29129**

PATENT & TRADEMARK OFFICE

WEST CORPORATION  
11808 Miracle Hills Drive  
Omaha, NE 68154



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**Substitute for form 1449/PTC**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

Sheet \_\_\_\_\_ of \_\_\_\_\_

**Complete if Known**

Application Number	09/691,392
Filing Date	17 October 2000
First Named Inventor	Katz, et al.
Art Unit	3627
Examiner Name	McClellan, James S.
Attorney Docket Number	PAT-009C

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
	93	WO 02/25909 A2	03-28-2002	Haughwout, James Paul	
	95	WO 97/20279	06-05-1997	Nash, Paul, et al.	
	96	WO 02/19203 A2	03-07-2002	Gregov, Andrej, et al.	
	97	WO 00/38122	06-29-2000	Walker, Jay S., et al.	
	98	WO 00/34910	06-15-2000	Simoudis, Evangelos, et al.	
	99	WO 01/24032 A2	04-05-2001	Rauser, John, et al.	

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet

1

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**Complete if Known**

Application Number	09/691,392
Filing Date	17 October 2000
First Named Inventor	Katz, et al.
Art Unit	3627
Examiner Name	McClellan, James
Attorney Docket Number	PAT-009C

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
	100	WO 00/51050	08-31-2000	Bongiovanni, Michele, et al.	
	101	WO 00/10069	02-24-2000	Walker, Jay S., et al.	
	102	WO 98/43149	01-01-1998	Walker, Jay S., et al.	
	103	WO 01/37183 A1	05-25-2001	Borg, Alan S., et al.	

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Sheet	3	of	6	Attorney Docket Number	PAT-009C

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	104	NIELSON MEDIA RESEARCH, Who We Are And What We Do, www.nielsenmedia.com.	
	105	MOXON, BRUCE, Data Mining: The Golden Promise, www.oreview.com, 1997, pgs. 1-14.	
	106	CHIRANKY, LISA, Web Power: Taking Call Centers To New Dimensions, Internet & Call Center Solutions, www.tmcnet.com, 1997.	
	111	Able Solutions, Able Solutions Announces AbleCommerce 2.6, PR NEWSWIRE, 09-15-1998.	
	112	RESNICK, PAUL, GroupLens: An Open Architecture for Collaborative Filtering of Netnews, Proceedings of ACM 1994 Conference on Computer Supported Cooperative Work, pgs. 175-186.	
	113	Net Perceptions, Inc., Building Customer Loyalty and High-Yield Relationships Through GroupLens Collaborative Filtering, White Paper, 11-19-1996.	

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	114	NASH, EDWARD L., Direct Marketing, Strategy, Planning, Execution, Third Edition McGraw-Hill, Inc., 1995, pgs. 164-165, 364-367.	
	115	MILLER, BRADLEY N., Experiences with GroupLens: Making Usenet Useful Again, University of Minnesota, Abstract.	
	116	AVERY, CHRISTOPHER, Recommender Systems for Evaluating Computer Messages, Communications from the ACM, 03-1997, pgs. 88-89, vol. 40, no. 3.	
	117	BALABANOVIC, MARKO, Fab: Content-Based, Collaborative Recommendation, Communications of the ACM, 03-1997, pgs. 66-72, vol. 40, no. 3.	
	118	BRIER, STEVEN E., Smart Devices Peep Into Your Grocery Cart, New York Times, 07-16-1998, section G, pg. 3, column 3.	
	119	TERVEEN, LOREN, Phoaks: A System for Sharing Recommendations, Communications of the ACM, 03-1997, pgs. 59-62, vol. 40, no. 3.	
	120	SHARDANAND, UPENDRA, Social Information Filtering: Algorithms for Automating "Word of Mouth", MIT Media-Lab, Abstract.	
	121	TEHRANI, NADJI, Hardware, Software...Humanware, Telemarketing & Call Center Solutions, 09-1997, pg. 3, vol. 16, no. 3.	
	122	RUCKER, JAMES, Siteseer: Personalized Navigation for the Web, Communications of the ACM, 03-1997, pgs. 73-76, vol. 40, no. 3.	
	123	MALTZ, DAVID, Pointing the Way: Active Collaborative Filtering, CHI '95 Proceedings, 1995, Abstract.	

Examiner Signature		Date Considered	
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<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	125	iCat, iCat Electronic Commerce Suite Takes "Best of Show" Award at WebINNOVATION 97, PR Newswire, 06-24-1997.		
	126	iCat, iCat's Commerce Suite Makes Setting up Shop on the 'net Even Easier Than High Street, M2 Presswire, 02-19-1997.		
	127	Internet World, IBM to Expand E-Comm Features, Newsbytes News Network, 12-16-1996.		
	128	KAUTZ, HENRY, Referral Web: Combining Social Networks and Collaborative Filtering, Communications of the ACM, 03-1997, pgs. 63-65, vol. 40, no. 3.		
	129	KONSTAN, JOSEPH A., GroupLens: Applying Collaborative Filtering to Usenet News, Communications of the ACM, 03-1997, pgs. 77-78, vol. 40, no. 3.		
	130	GREEN, HEATHER, The Information Gold Mine, Business Week e.biz.		
	131	BARAN, PAUL, Some Changes in Information Technology Affecting Marketing in the Year 2000, Changing Marketing Systems, 1967 Winter Conference, Dec. 27-29, 1967, pgs. 76-77, no. 26.		
	132	THEARLING, KURT, From Data Mining To Database Marketing, DIG White Paper, 10-01-1995.		

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				Examiner Name	McClellan, James S.
Sheet	6	of	6	Attorney Docket Number	PAT-009C

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	134	FALOUTSOS, CHRISTOS, A Survey Of Information Retrieval And Filtering Methods, University of Maryland, Abstract, pgs. 1-22.		
	135	DRAGAN, RICHARD, Advice From The Web, PC Magazine, 09-09-1997, pg. 133(7), vol. 16, no. 15.		
	136	DELGADO, JOAQUIN, Intelligent Collaborative Information Retrieval, Nagoya Institute of Technology, Abstract.		
	137	DELGADO, JOAQUIN, Content-Based Collaborative Information Filtering: Actively Learning To Classify And Recommend Documents, Nagoya Institute of Technology, Abstract.		
	138	GAITHER, CHRIS, Google Designs An Engine For Eggheads, Los Angeles Times, 12-27-2004, C1, C5.		

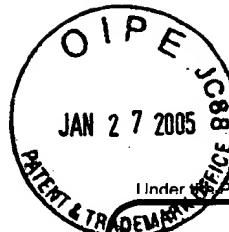
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 27 2005

PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180.00)

**Complete if Known**

Application Number	09/691,392
Filing Date	17 October 2000
First Named Inventor	Ronald A. Katz
Examiner Name	James McClellan
Art Unit	3627
Attorney Docket No.	PAT-009C

**METHOD OF PAYMENT** (check all that apply)

 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: 501880 Deposit Account Name: West Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**
**Fee Description**

Each claim over 20 (including Reissues)

**Small Entity**

Fee (\$)	Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

Fee (\$)	Fee (\$)
200	100

Multiple dependent claims

Fee (\$)	Fee (\$)
360	180

**Total Claims**
**Extra Claims**
**Fee (\$)**
**Fee Paid (\$)**
**Multiple Dependent Claims**

Fee (\$)	Fee Paid (\$)
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- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**
**Extra Claims**
**Fee (\$)**
**Fee Paid (\$)**

Fee (\$)	Fee Paid (\$)
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- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

**Fees Paid (\$)**
Other (e.g., late filing surcharge): Information Disclosure Fee

180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 40,480	Telephone 888-575-6335
Name (Print/Type)	Rocco L. Adornato	Date 24 Jan 05	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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